

Internet Society response to the Questionnaire of the CSTD Working Group on Enhanced Cooperation

31 August 2013

Pursuant to and in order to fulfill the mandate given by the United Nations General Assembly in its Resolution 67/195 (2012) on information and communications technologies for development, the UN CSTD Working Group on Enhanced Cooperation elaborated the following questionnaire. The questions below need to be responded in the context of the Tunis Agenda of the World Summit on Information Society, 2005. All Member States of the United Nations, Permanent Observers, United Nations system agencies, non-governmental organizations in consultative status with the Economic and Social Council, Sector members of the International Telecommunication Union (ITU) and entities accredited to the World Summit on the Information Society not otherwise included in one of those groups are invited to fill out this questionnaire. Approved academic and business entities participating in the work of the CSTD are also invited to participate in filling out this questionnaire. Other relevant entities involved in Internet related public policy issues are welcome to provide their input by filling out the questionnaire.

*** Required**

The information solicited through this questionnaire will only be used in aggregate form, unless otherwise authorised by the respondent. Do you authorise us to cite/share your views individually? *

Yes

No

Please enter your contact details: *

Country, Organization, Address, Email

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1. Which stakeholder category do you belong to? *

Government

Intergovernmental and international organizations

*** Non-Government**

If non-government, please indicate:

Business community

Civil society

***Technical and academic community**

If non-government, please indicate if you are:

- * WSIS accredited
 - * ECOSOC accredited
 - * Participating in the work of the CSTD (Pursuant to ECOSOC Decisions 2011/237, 2011/238 or 2011/239)
 - * ITU accredited
- Other:

2. What do you think is the significance, purpose and scope of enhanced cooperation as per the Tunis Agenda? a) Significance b) Purpose c) Scope *

a) Significance

There is no single definition of enhanced cooperation. From our understanding, enhanced cooperation takes place within and between organizations and actors in the Internet ecosystem - it is a distributed process of collaboration in line with the underlying distributed technology that is the Internet. In the spirit of the Tunis Agenda, which recognized the effectiveness of existing arrangements in its paragraph 55, the concept calls for further developing the collaboration mechanisms between Governments, civil society, business and the technical and academic community. In this sense, enhanced cooperation is an ongoing process, which calls for constant progress.

(Blog post by Markus Kummer on enhanced cooperation:

<http://www.internetsociety.org/blog/2012/07/internet-governance-what-enhanced-cooperation>)

b) Purpose

The purpose of enhanced cooperation is to continue fostering cooperation within and between relevant actors in the Internet Ecosystem. It should facilitate co-ordination and avoid duplication of work between stakeholders, as well as leverage their respective expertise towards achieving the WSIS goals. Discussions on enhanced cooperation should focus less on debates around the original meaning of the concept, and rather focus on how cooperation works and what we want cooperation to concretely look like in order to advance our collective goals of greater access to and growth of the Internet for the benefit of everyone. The Internet Governance Forum (IGF) has provided a valuable avenue for all stakeholders to cooperate in a meaningful way.

c) Scope

Enhanced cooperation should not only facilitate collaboration between the various stakeholder groups at the global level - including governments, business, civil society and the technical and academic community - but also be applied at the regional and national levels, where key Internet governance-related decisions are being made.

3. To what extent has or has not enhanced cooperation been implemented? Please use the space below to explain and to provide examples to support your answer. *

Since the WSIS, stakeholders have achieved tremendous progress in terms of developing their working relationships. Some inter-governmental organisations have made institutional arrangements to allow stakeholders to take part in their decision-making

processes. For example, since 2008 the OECD has opened its working processes to the participation of the technical community (ITAC) as well as civil society (CSISAC), in addition to the existing business and industry actors (BIAC). These non-governmental stakeholders have been invited to provide their expertise and contribute to formal OECD policy instruments on issues such as privacy, cybersecurity, infrastructure development or digital growth. In addition, these stakeholder groups had the opportunity to negotiate on an equal footing with governments for the 2011 OECD High Level Principles on the Future of the Internet Economy.

Many other inter-governmental organisations have taken positive steps to cooperate with non-governmental stakeholders, including the Council of Europe, UNESCO or APEC for example.

Meanwhile, non-governmental stakeholders (business, civil-society, the technical and academic community) have also developed multistakeholder partnerships with governmental and inter-governmental organisations in a view to achieving the WSIS goals. For example, the Internet Society (ISOC) has undertaken the necessary steps to obtain the ECOSOC status, enabling participation in a wide range of UN fora, including ones not traditionally attended by the Internet community (e.g. Human Rights Council). ISOC is working closely with intergovernmental organizations such as CITELE, ATU and APT to provide seminars on a range of issues such as Spam, Open Standards and interconnection and to contribute to the policy development process in the regions. We are learning from colleagues from developing countries and hope that our participation has enhanced the dialogue.

It should also be noted that the IGF provides a key international platform for all stakeholders to share experiences, expertise and concerns on all Internet public policy issues. It is a platform that reinforces cooperation by reducing barriers between different stakeholder groups. Strengthening the IGF Secretariat would therefore play an important role in further enhancing cooperation locally, regionally and internationally.

4. What are the relevant international public policy issues pertaining to the Internet? *

The Internet policy space is a constantly evolving field, influenced by technological innovations and emerging uses.

The cross-border nature of the network requires carefully coordinated policy solutions, not only between different stakeholder groups, but also across regions. While governance starts at the local level, a great number of Internet policy issues are global in nature, requiring global responses.

Some of the most relevant issues in the Internet governance space currently include digital content, privacy, security, trust, access and infrastructure, building capacity, or the exercise of fundamental rights online. There are growing concerns worldwide about the use of technical measures to enforce policy objectives (e.g. security, copyright enforcement), without properly taking into account the rights and interests of Internet users. Such measures (e.g. content filtering or blocking) also risk undermining the open, global and interoperable architecture of the Internet. While governments have an essential responsibility to advance key public policy priorities, including e.g. security, the potential wide-ranging impacts of such policies demand that broad consultations be held with all

relevant stakeholders.

Despite tremendous progress since the WSIS Summits, affordable and fast Internet access remains a key issue in many developing countries. Substantive progress has been made through the development of Internet Exchange Points (IXPs), allowing Internet service providers to peer Internet traffic locally. Many of these IXPs are being developed in partnership with different stakeholders (government, content owners, service providers, research and education networks), further demonstrating the value of enhanced cooperation at the level of local and regional Internet communities.

5. What are the roles and responsibilities of the different stakeholders, including governments, in implementation of the various aspects of enhanced cooperation? *

There is no single organization "in charge" of the Internet. Governance is a set of distributed processes that reflect the nature of the underlying distributed technology. These arrangements are also known as the Internet model, or the Internet eco-system (<http://www.internetsociety.org/who-makes-internet-work-internet-ecosystem>), which only functions with the engagement of all relevant stakeholders in their respective areas of responsibility and expertise. In most cases, participation is based on knowledge and need, rather than formal membership. This encourages broad participation and reduces barriers to Internet technical and policy development processes.

All relevant stakeholders in this ecosystem have respective expertise and responsibility in implementing the various aspects of enhanced cooperation. Schematically, one could characterize the roles of the different stakeholders as follows:

- * Governments: ensure that regulatory frameworks foster Internet development and reduce barriers to creation and innovation, and watch over Internet users/citizens;
- * Civil society: provide diverse perspectives from a broad range of interests and help the community to identify users' needs;
- * Business: provide Internet access and services, content and applications;
- * Technical and academic community: develop the core Internet architecture, standards and protocols that enable the Internet to continue functioning as an interoperable and global network.

6. How should enhanced cooperation be implemented to enable governments, on an equal footing, to carry out their roles and responsibilities in international public policy issues pertaining to the Internet? *

Governments play an essential role in shaping international Internet-related public policy and its associated issues. Further efforts should be made to facilitate the participation of governments, in particular from developing countries, into the existing processes and forums that shape Internet policies and the network's technical developments. In some cases, more work needs to be done to build the capacity of developing country governments to fully and appropriately engage in these activities.

For example, the Internet Society has initiated fellowships for policy makers to participate

to the Internet Engineering Task Force (IETF) meetings. The IETF is a loosely organized group of engineers that is critical to shape the future evolution of the Internet, based on technical standards and protocols. Participation to the IETF is open to anybody, and doesn't require any formal membership or participation fee. While this forum is completely open, not all governments are aware of these processes which, while essential to the Internet's future, are not following the same procedures as traditional UN meetings. In addition, the engineering community can learn about the key technical concerns of policymakers. This can help make future protocols more robust and relevant around the world. Our experience from bringing to these meetings policy makers from Africa, Latin America, Europe and other regions has proven extremely positive to foster a greater understanding and facilitate cooperation across different mechanisms of the Internet ecosystem. Our hope is that, through this engagement, more technical experts from developing countries will participate in the IETF and to the technical development of the Internet.

We strongly encourage governments to participate in other multistakeholder processes, gaining familiarity with them and being empowered to contribute meaningfully to these processes. Enhanced cooperation among all stakeholders, based on open processes, dialogue and transparency, is fundamental to ensure that Internet remains an enabling platform for economic innovation and social development.

7. How can enhanced cooperation enable other stakeholders to carry out their roles and responsibilities? *

Cooperation is similarly essential for non-governmental stakeholders to carry out their roles and responsibilities in the Internet space. Coordination and exchange of information is necessary for all parts of the eco-system to work smoothly and efficiently in order to accommodate the sustained growth of the network.

Such cooperation has been taking place for many years. For example, organisations involved in developing open standards for the Internet initiated the Open Standards Paradigm initiative, which gathers the IETF (Internet protocols), the W3C (Web protocols) or the IEEE (physical Internet connectivity) around common technical development principles such as transparency, voluntary adoption or consensus.

The Internet Governance Forum (IGF) also offers a unique opportunity for different stakeholders to collaborate and work together in shaping workshops and sessions of common interest on key Internet issues.

Non-governmental stakeholders should actively seek the opportunity to participate in relevant governmental processes. For example, the Internet Society (ISOC) took the necessary steps to obtain an ECOSOC status from the United Nation, thus facilitating participation in a variety of U.N. processes. Over the years, ISOC has developed formal participation status with many inter-governmental organisations, such as the OECD, WIPO or the Council of Europe. Similar actions have been taken at the regional level (e.g. APEC, African Union, etc). These relationships with inter-governmental organizations allow ISOC to provide important input to the policy deliberations and, importantly, to understand more fully the specific concerns and challenges for governments. Greater understanding leads to better policy outcomes and stronger technology.

8. What are the most appropriate mechanisms to fully implement enhanced cooperation as recognized in the Tunis Agenda, including on international public policy issues pertaining to the Internet and public policy issues associated with coordination and management of critical Internet resources? *

As stated before, international public policy touches upon a wide range of issues, including copyright, security, capacity building and many more. Policy decisions on such issues may be dealt with by specialised agencies, whether at the national, regional or the international level, depending on the scope of those issues.

Existing mechanisms which have been dealing with Internet-related issues in the past few years include WIPO (intellectual property), the Human Rights Council (human rights), WTO (trade issues), ITU (telecommunications) or UNESCO (freedom of expression, education), among many others. Regional/cross-regional organisations such as the OECD or APEC are dealing with issues such as Internet security and privacy from the angle of economic development. In Europe, BEREC is an example where multiple national telecommunications regulators come together, consult non-governmental stakeholders, and disseminate best practices and suggest common approaches in implementing the EU regulatory framework for electronic communications.

Many of these existing mechanisms are evolving to be more transparent and inclusive with non-governmental stakeholders.

For example the Messaging, Malware and Mobile Anti-Abuse Working Group (M3AAWG) is a global industry lead partnership of governments, trusted network operators, ISPs and bulk mail distributors who collaborate on global technical and policy initiatives to mitigate spam and messaging abuse. M3AAWG's membership is organized around technology, and collaboration between trusted stakeholders to address cooperative capacity building to mitigate spam, malware, botnets and phishing and other abusive messaging.

Regarding the management of critical Internet resources, one key issue is the deployment of Internet Protocol version 6 (IPv6), in light of IPv4 address depletion. While this is a technical issue in nature, the reality of IP address shortages (two of the five global registries are already depleted) and the serious impact of this on Internet driven growth has led some governments to take action and show their support for the transition to this new protocol (e.g. OECD 2008 Ministerial).

9. What is the possible relationship between enhanced cooperation and the IGF? *

Originally envisioned by the WSIS Tunis Agenda as two seemingly separate tracks, there is a growing recognition that the cooperation gap identified in 2005 was, in part, filled by the establishment of the IGF. Indeed, we now observe an increasing convergence between the two processes (<http://www.internetsociety.org/blog/2012/07/internet-governance-what-enhanced-cooperation>)

The IGF is a unique space for all stakeholders to meet on an equal footing and to address key Internet policy issues. The preparatory process for each IGF is led by a Multistakeholder Advisory Group (MAG), which includes all stakeholder groups working together.

Stakeholders from all regions have the opportunity to share their expertise and convey their concerns. This annual fora has turned into a catalyst that enhances cooperation among all stakeholders involved in Internet governance and that contributes to shape policies and decisions taken in other fora at the regional and global levels.

This cooperative framework has proved extremely valuable to develop a common understanding and approach to Internet Governance issues. The many IGF-type national and regional initiatives that have emerged across all regions are a testament of the value of this platform to fill the cooperation needs of the Internet community.

In light of the practical value of the IGF in providing a platform for cooperation, both at the global and local levels, strengthening the IGF would therefore also strengthen enhanced cooperation.

10. How can the role of developing countries be made more effective in global Internet governance? *

The participation of developing countries in global Internet governance is of paramount importance. In ISOC's view, a global Internet requires global participation. Significant progress has been achieved in this regard over the past few years, but more can be done to further include these voices in the governance discussions.

National and Regional IGFs offer a valuable platform for local stakeholders to address key local Internet governance issues in a multistakeholder framework. There are many examples of vibrant local IGFs, including in Africa and Latin America, which have proved useful networking platforms to facilitate cooperation between local actors to address local priorities. With the next billion of Internet users mainly coming from developing countries, fostering vibrant multistakeholder cooperation at the local level is essential for the future of the global Internet.

For many years, the Internet Society has provided participation fellowships for young technical and/or policy leaders from all over the world to attend the IGF. The program not only funds the fellows' participation, but also provides them with ex-ante and on-site briefings to ensure their meaningful participation.

Remote participation opportunities (webcasting, audiocast, transcript and translation where possible) are also very much part of the IGF and constitute an important way for more developing countries to take part in the global governance discussions. Such options should be made broadly available in other conferences and fora.

As intergovernmental organizations like CITELE, ATU and APT become more inclusive to non-government stakeholders, there are greater opportunities for developing countries to engage more closely with Internet organizations like ISOC. Through our participation in these groups, ISOC has been able to provide seminars on a range of issues like Spam, Open Standards and interconnection and to contribute to the policy development process in the region. We are learning from colleagues from developing countries and hope that our participation has enhanced the dialogue.

Generally, the adoption of the multistakeholder approach helps governments reach better

decisions, including in developing countries. For example, Kenya has changed its constitution to introduce a mandatory requirement for multistakeholder processes in all policy areas, enhancing participatory democracy. This is an outstanding example of impact and of enhanced multistakeholder cooperation.

11. What barriers remain for all stakeholders to fully participate in their respective roles in global Internet governance? How can these barriers best be overcome? *

Much progress has taken place in the past few years in terms of stakeholders' participation in global governance processes. Internet governance is a constantly evolving process and improvements are implemented incrementally over time.

Some of the key challenges include the need for increasing awareness around the existing governance mechanisms. The number of parallel processes and different modes of participation can be unsettling for newcomers, and efforts should be made to make them easier to understand and be involved with.

For example, the Internet Society has created a fellowship program for policymakers to participate in meetings of the Internet Engineering Task Force. This has been a very positive experience in order to provide familiarity to the participation processes of such meetings, which are unlike traditional intergovernmental meetings.

Given the distributed nature of these mechanisms, participation can sometimes be financially constraining to some stakeholders. Fellowships, sponsorships and remote participation options should be further promoted and maximised to enhance participation.

12. What actions are needed to promote effective participation of all marginalised people in the global information society? *

Increasing transparency and information around all key governance processes, both at the local and global levels. Inclusion can be enhanced through proactive addition of marginalised people through fellowships and sponsorships as well as through capacity building efforts to enable more effective and sustainable engagement.

13. How can enhanced cooperation address key issues toward global, social and economic development? *

There are numerous indicators pointing to the Internet's significant contribution to driving of social and economic development. The Internet and ICTs are primary tools in order to achieve the Millennium Development Goals.

(ISOC's written statement, UN ECOSOC High-Level Segment, March 2013:
<http://www.internetsociety.org/sites/default/files/ISOC250313.pdf>)

Internet infrastructure drives demand for new services, and new applications drive demand for faster and more affordable Internet infrastructure. The open Internet has provided an extremely fertile ground for innovation and economic development, by removing barriers to the creation of groundbreaking services aimed at meeting the needs of users and customers. The benefits of this open Internet can only be sustained if the network is

developed in a multistakeholder and co-operative format.

Similarly, social development has benefitted from the cooperation between all relevant stakeholders. For example e-Health applications for citizens (civil society) can thrive if the network is reliable and resilient (technical community), provided by a robust infrastructure (private sector), and supported by the government through transparent and stable policies and regulations.

14. What is the role of various stakeholders in promoting the development of local language content? *

Local content is a key enabler of Internet development and economic growth. Societies have a rich heritage and knowledge base that should be recognized, recorded and shared for the benefits of people throughout the world. However, much of the world's content remains inaccessible even to the local population, not to mention at a broader level.

In 2012, the Internet Society, UNESCO and the OECD collaborated on a study about "The Relationship between Local Content, Internet Development and Access Prices". The research shows that there is a strong correlation between the development of network infrastructure and the growth of local content, and a connection between developed local Internet markets and lower reported prices for international bandwidth (<http://www.internetsociety.org/localcontent>).

Our work in Africa has also demonstrated a clear link between the establishment of local Internet Exchange Points (IXPs) and the growth of local content and higher quality of service for end-users. In a groundbreaking 2012 study of Exchange Points in Nigeria and Kenya (<http://www.internetsociety.org/ixpimpact>), ISOC was able to demonstrate that deployment of IXPs has improved the overall Internet experience in these two markets, a development that is being replicated in developing countries around the globe. It is also the case, however, that IXPs are successful within a multistakeholder environment that creates a solid community basis for sustainability, technical capacity development, local governance models, and community support. In many cases, IXPs need the buy-in from Internet service providers, academia, civil society and governments, working *together*, to deploy and sustain local Internet infrastructure. Local Internet infrastructure provides a foundation for local language content, which, in turn, drives further demand for advanced services and local innovation.

15. What are the international internet-related public policy issues that are of special relevance to developing countries? *

We have seen a formula for success for Internet development - a "smart development" approach - that is based on partnerships that focus on human, technical, and governance infrastructure development. Trained people, deployed and enhanced Internet infrastructure, and strong governance models have built the Internet around the world, and these elements underpin past WSIS debates and current debates about Internet development.

Access to a reliable and affordable Internet remains a key challenge for developing

countries. Progress has been made since the WSIS: a single SEACOM cable connected West Africa in 1999. Now there are 13 major undersea cables connecting Africa. However, the cost of interconnection and of international traffic remains prohibitive in many regions. A joint multistakeholder approach to policy and regulatory development has allowed for more submarine cables to be built, for cross-border connections to be facilitated, and for additional operators to compete and provide services in some countries, driving down local and regional costs.

IXP development (as explained above) is an effective solution for addressing this challenge, improving local traffic delivery in developing countries. In Africa and Latin America, some of the most successful IXPs have developed multistakeholder IXPs that include ISPs, governments, content providers and research and education networks under the same roof. Kenya and its national Internet governance framework provide one of the best illustrations of inclusive and dynamic Internet policy making.

In addition cost effective routing and network management techniques are also part of the solution to the high cost of connectivity. ISOC's past and upcoming 2013 African Peering and Interconnection Forum (AfPIF), RIPE's recent 2013 Middle East Peering Forum, and the upcoming Latin America and Caribbean Peering Forum sponsored by LACNIC, ISOC, and LACNOG, bring stakeholders together to discuss ways to promote more efficient interconnection and peering. These activities and other collaborative Internet community meetings also forge networks of trust among their participants. We cannot underscore enough the importance of these "human trust networks" that drive collaboration, network connections, stronger multi-stakeholder governance models.

16. What are the key issues to be addressed to promote the affordability of the Internet, in particular in developing countries and least developed countries? *

The key issues to be addressed to promote the affordability of the Internet lie in a holistic examination of some of the barriers to connectivity. Governments and other stakeholders have the ability to implement and encourage policies that remove barriers to connectivity. Actions to "lift barriers" to connectivity (as noted in a new study released by the Internet Society in May 2013 "Lifting Barriers to Internet Development in Africa: Suggestions for Improving Connectivity": <http://www.internetsociety.org/doc/lifting-barriers-internet-development-africa-suggestions-improving-connectivity>) include: liberalising regulatory regimes and lowering barriers to entry, particularly related to submarine cables and international gateways, reducing bureaucracy and costs of rights of way (including across borders), reducing the sector specific tax-burden, offering investors greater policy and regulatory certainty, incentivising infrastructure sharing, developing clear ICT policies, implementing a holistic view of the Internet value-chain that involves a range of stakeholders and identifies obstacles and removes conflicting policies around tax, investment and promotion of ICTs, and implementing policies that do not distort the market by favouring individual operators or restore *de facto* monopolies.

As stated before, a key element to promote affordability of Internet access is to set-up Internet Exchange Points (IXPs), to encourage additional infrastructure provision (submarine cables, ISPs, content providers), and to provide training that encourages more efficient and effective Internet service provision. IXPs allow for local Internet service providers to peer their traffic, often on a settlement-free basis, to keep "local traffic local",

reducing some long-haul traffic costs associated with traffic exchanged between participants, IXPs can allow big content providers to cache their content locally, enhancing speed and access to content and avoiding routing traffic through expensive and inefficient international routes.

The Internet Society is very active in this regard to building capacity in developing and least developed countries and promoting a multistakeholder approach, including ISPs, governments, content providers, and research and education networks under the same roof.

17. What are the national capacities to be developed and modalities to be considered for national governments to develop Internet-related public policy with participation of all stakeholders? *

National governments should consider putting in place systematic multistakeholder processes in order to consult their national stakeholders on Internet-related public policy issues. Such processes will not only enhance democratic participation at the national level, but will also contribute to foster more efficient and legitimate policies. As a general rule, governments should consult with all parties that would be affected by the results of policy decisions. This includes the technical and academic community, civil society and the private sector.

In terms of concrete mechanisms, national governments should support national and regional IGFs as a means to address local issues, as well as to provide input to the global IGF. Consultation mechanisms should also be created in the development processes of Internet-related public policies, whether they are of national nature, or concern negotiation of international treaties that may impact local stakeholders (e.g. WCIT, ACTA).

18. Are there other comments, or areas of concern, on enhanced cooperation you would like to submit? *

The issue is one of enhancing cooperation by learning to work together in the most appropriate venues, in partnership, and to look for solutions where all stakeholders can have a real impact on people's lives.

More information about the Internet Society: www.internetsociety.org